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Counsel to the Debtors and  
Debtors in Possession

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

- - - - - x  
In re: : Chapter 11  
:   
CIRCUIT CITY STORES, INC., : Case No. 08-35653 (KRH)  
et al., :   
:   
Debtors. : Jointly Administered  
- - - - - x

**DEBTORS' MOTION FOR ORDER SHORTENING NOTICE PERIOD  
AND LIMITING NOTICE OF DEBTORS' CONSENT MOTION FOR APPROVAL OF  
SETTLEMENT AGREEMENT AND STIPULATION BY AND AMONG THE DEBTORS  
AND MITSUBISHI DIGITAL ELECTRONICS AMERICA, INC.**

The debtors and debtors in possession in the above-  
captioned jointly administered cases (collectively, the  
"Debtors")<sup>1</sup> hereby move this Court (the "Motion to Shorten and

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875),  
(cont'd)

Limit Notice") for an order under section 102 of title 11 of the United States Code (the "Bankruptcy Code") and Rules 2002, 9006 and 9007 of the Federal Rules of Bankruptcy Procedures (the "Bankruptcy Rules") approving shortened and limited notice for the Debtors' Consent Motion for Approval of Settlement Agreement and Stipulation by and among the Debtors and Mitsubishi Digital Electronics America, Inc. (the "Consent Motion"). In support of the Motion to Shorten and Limit Notice, the Debtors respectfully represent as follows:

**JURISDICTION AND VENUE**

1. This Court has jurisdiction to consider this Motion to Shorten and Limit Notice under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue of these cases and this Motion to Shorten and Limit Notice in this District is proper under 28 U.S.C. §§ 1408 and 1409.

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*(cont'd from previous page)*

Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), PRAHS, INC. (n/a), XSStuff, LLC (9263), Mayland MN, LLC (6116), Courchevel, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512). The address for the Debtors is 4951 Lake Brook Drive, Suite #500, Glen Allen, VA 23060.

2. The statutory predicates for the relief requested herein are Bankruptcy Code section 102 and Bankruptcy Rules 2002, 9006 and 9007.

**BACKGROUND**

3. On November 10, 2008 (the "Petition Date"), the Debtors filed voluntary petitions in this Court for relief under chapter 11 of the Bankruptcy Code.

4. The Debtors continue as debtors in possession pursuant to Bankruptcy Code sections 1107 and 1108.

5. On November 12, 2008, the Office of the United States Trustee for the Eastern District of Virginia appointed a statutory committee of unsecured creditors (the "Creditors' Committee"). To date, no trustee or examiner has been appointed in these chapter 11 cases.

6. On January 16, 2009, the Court authorized the Debtors, among other things, to conduct going out of business sales at the Debtors' remaining 567 stores pursuant to an agency agreement (the "Agency Agreement") between the Debtors and a joint venture, as agent (the "Agent"). On January 17, 2009, the Agent commenced going out of business sales pursuant to the Agency Agreement at the Debtors' remaining stores. On or about March 8, 2009, the going out of business sales concluded.

7. On September 24, 2009 the Court entered an Order Approving (I) Disclosure Statement (the "Disclosure Statement"), (II) Notice of the Disclosure Statement Hearing, (III) Hearing Date to Consider Confirmation of the Plan, (IV) Procedures for Filing Objections to Plan, (V) Voting Agent and Deadlines Related to Solicitation and Confirmation, (VI) Procedures with Respect to Certain Claims and (VII) Solicitation Procedures for Confirmation of the Plan (Docket No. 5090).

8. The hearing on confirmation of the First Amended Joint Plan of Liquidation of Circuit City Stores, Inc. and Its Affiliated Debtors and Debtors in Possession and Its Official Committee of Creditors Holding General Unsecured Claims (the "Plan") is scheduled to commence on June 8, 2010 at 10:00 a.m. (Eastern).

**RELIEF REQUESTED**

9. By this Motion to Shorten and Limit Notice, the Debtors request entry of an order shortening the notice period and limiting notice of the Consent Motion so that it can be heard, considered and ruled upon by the Court at a previously scheduled omnibus hearing on May 11, 2010.

**BASIS FOR RELIEF**

10. Concurrently herewith, the Debtors filed the Consent Motion. The Consent Motion seeks an order approving a Settlement Agreement and Stipulation (the "Settlement Agreement") by and among the Debtors and Mitsubishi Digital Electronics America, Inc. ("Mitsubishi"), which, among other things, establishes a reserve pursuant to Federal Rule of Bankruptcy Procedure 3020(a) for the exclusive benefit of Mitsubishi, and resolves Mitsubishi's appeal of the Court's Memorandum Opinion and Order sustaining the Fifty-First Omnibus Objection (the "Appeal").<sup>2</sup>

11. The Debtors believe it is in the best interest of the Debtors' estates, their creditors, and other parties in interest for the Consent Motion to be heard at the hearing on May 11, 2010 at 10:00 a.m. (Eastern) due to upcoming deadlines in the Appeal. Rather than proceed with litigation concerning the Appeal, the Debtors and Mitsubishi wish to resolve the Appeal prior to briefing, which will reduce the administrative burden and costs associated with continuing the Appeal at this time.

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<sup>2</sup> This is a brief summary of the terms of the Settlement Agreement. In the event there is a conflict between the Motion to Shorten and Limit Notice and the Settlement Agreement, the Settlement Agreement shall control in all respects.

12. Additionally, the Debtors have consulted with the Creditors' Committee and have not received an objection.

13. Notice of this Motion to Shorten and Limit Notice is being provided to parties-in-interest in accordance with the Court's Supplemental Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management and Administrative Procedures (Docket No. 6208) (the "Case Management Order"). In light of the nature of the relief requested, the Debtors respectfully submit that no further notice is necessary.

**WAIVER OF MEMORANDUM OF LAW**

14. Pursuant to Local Bankruptcy Rule 9013-1(G), and because there are no novel issues of law presented in the Motion to Shorten and Limit Notice and all applicable authority is set forth in the Motion to Shorten and Limit Notice, the Debtors request that the requirement that all motions be accompanied by a separate memorandum of law be waived.

**NO PRIOR REQUEST**

15. No previous request for the relief sought herein has been made to this Court or any other court.

**CONCLUSION**

WHEREFORE, the Debtors respectfully request that the Court (i) enter an Order, substantially in the form annexed hereto, granting the relief requested herein, and (ii) such other and further relief as may be just and proper.

Dated: May 3, 2010  
Richmond, Virginia

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Counsel for Debtors and Debtors  
in Possession

**[Proposed Order]**

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**ORDER GRANTING DEBTORS' MOTION FOR ORDER SHORTENING NOTICE  
PERIOD AND LIMITING NOTICE OF DEBTORS' CONSENT MOTION  
FOR APPROVAL OF SETTLEMENT AGREEMENT AND STIPULATION  
BY AND AMONG THE DEBTORS AND MITSUBISHI DIGITAL  
ELECTRONICS AMERICA, INC.**

Upon consideration of the Debtors' Motion for Order  
Shortening Notice Period and Limiting Notice (the "Motion to  
Shorten and Limit Notice") of Debtors' Consent Motion for  
Approval of Settlement Agreement and Stipulation by and among

the Debtors and Mitsubishi Digital Electronics America, Inc. (the "Consent Motion"); and the Court having reviewed the Motion to Shorten and Limit Notice; and the Court having determined that the relief requested in the Motion to Shorten and Limit Notice is in the best interests of the Debtors, their estates, their creditors, and other parties in interest; and it appearing that proper and adequate notice of the Motion to Shorten and Limit Notice has been given and that no other or further notice is necessary; and upon the record herein; and after due deliberation thereon; and good and sufficient cause appearing therefor, it is hereby

**ORDERED, ADJUDGED, AND DECREED that:**

1. The Motion to Shorten and Limit Notice is GRANTED.
2. Notice of the Consent Motion is shortened so that it may be heard, considered and ruled upon by the Court at a hearing on May 11, 2010 at 10:00 a.m. (Eastern).
3. Notice of the Consent Motion is limited to the parties as set forth in the Motion to Shorten and Limit Notice.

4. This Court will retain jurisdiction with respect to any dispute concerning the relief granted hereunder.

Dated: Richmond, Virginia  
\_\_\_\_\_, 2010

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UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

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Counsel to the Debtors and Debtors in Possession

**CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

Pursuant to Local Bankruptcy Rule 9022-1(C), I hereby certify that the foregoing proposed order has been endorsed by or served upon all necessary parties.

/s/ Douglas M. Foley

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